

Dr. Jeffrey D. Isaacs
11482 Key Deer Circle
Wellington, FL 3349

Plaintiff

RACHEL S. BRASS, SBN 219301
RBrass@gibsondunn.com
JULIAN W. KLEINBRODT, SBN 302085
JKleinbrodt@gibsondunn.com
One Embarcadero Center, Suite 2600
San Francisco, CA 94111-3715
Telephone: 415.393.8200
Facsimile: 415.393.8306

Attorneys for Defendant Apple Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CORONAVIRUS REPORTER, CALID INC.,
PRIMARY PRODUCTIONS LLC, DR.
JEFFREY D. ISAACS, on behalf of themselves
and all others similarly situated

Plaintiffs,

v.

APPLE INC., FEDERAL TRADE
COMMISSION

Defendants.

CASE NO. 3:21-CV-05567-EMC

**STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING ON
PLAINTIFF'S RULE 60(B) MOTION TO
REOPEN CASE**

Hon. Edward M. Chen

Plaintiff Dr. Jeffrey D. Isaacs ("Plaintiff") and Defendant Apple Inc. ("Apple") (collectively,
the "Parties") hereby agree as follows:

WHEREAS on April 12, 2024, Plaintiff moved to reopen this case pursuant to Federal Rule of
Civil Procedure 60(b) ("Motion to Reopen"), *see* Dkt. 118;

WHEREAS on April 26, 2024, Apple filed its opposition to Plaintiff's Motion to Reopen, *see*
Dkt. 119;

WHEREAS on May 3, 2024, Plaintiff filed his reply in support of his Motion to Reopen, *see*
Dkt. 121;

1 WHEREAS on May 13, 2024, the Supreme Court denied Plaintiffs’ petition for a writ of
2 certiorari;

3 WHEREAS a hearing on Plaintiff’s Motion to Reopen is currently set for July 11, 2024, at 1:30
4 PM in San Francisco, *see* Dkt. 120;

5 WHEREAS on March 5, 2024, Apple was sued by Coronavirus Reporter Corporation and Calid
6 Inc. in the United States District Court for the District of Wyoming, which complaint was served on
7 Apple on May 31, 2024, *see Coronavirus Rptr Corp. v. Apple Inc.*, No. 24-cv-53-SWS (D. Wyo.) (the
8 “Wyoming Complaint”);
9

10 WHEREAS, the parties to that action have stipulated that any motion to dismiss the Wyoming
11 Complaint shall be due on July 30, 2024, Plaintiffs’ opposition shall be due August 27, 2024, and
12 Apple’s Reply shall be due September 17, 2024;

13 WHEREAS the Wyoming Complaint concerns events and raises issues that relate to the subject
14 matter of this case, including matters raised by Plaintiff in his Motion to Reopen;

15 WHEREAS, in light of the overlapping issues between Plaintiffs’ Motion to Reopen and the
16 Wyoming Complaint, the Parties believe it will serve the interests of efficiency to continue the hearing
17 on Plaintiffs’ Motion to Reopen before this Court until after Apple’s forthcoming motion(s) in
18 *Coronavirus Rptr Corp. v. Apple Inc.*, No. 24-cv-53-SWS (D. Wyo.), are fully briefed;
19

20 WHEREAS the Court’s General Standing Order provides that “[p]arties seeking to continue
21 hearings, request special status conferences, modify briefing schedules, or make any other procedural
22 changes shall submit a signed stipulation and proposed order,” Civil Standing Order – General, ¶ 4,
23

24 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the Parties that
25 the hearing on Plaintiff’s Motion to Reopen currently set for July 11, 2024, shall be continued, to
26 September 26, 2024 at 1:30 PM in San Francisco, or the first available hearing date thereafter that the
27 Court prefers.
28

1 DATED: June 14, 2024

2 By: /s/ Dr. Jeffrey D. Isaacs
3 Dr. Jeffrey D. Isaacs

4 11482 Key Deer Circle
5 Wellington, FL 3349

6 *Plaintiff*

7 By: /s/ Julian W. Kleinbrodt
8 Julian W. Kleinbrodt

9 GIBSON, DUNN & CRUTCHER LLP
10 RACHEL S. BRASS, SBN 219301
11 RBrass@gibsondunn.com
12 JULIAN W. KLEINBRODT, SBN 302085
13 JKleinbrodt@gibsondunn.com
14 One Embarcadero Center, Suite 2600
15 San Francisco, CA 94111-3715
16 Telephone: 415.393.820
17 Facsimile: 415.393.8306

18 *Attorneys for Defendant Apple Inc.*

ECF SIGNATURE ATTESTATION

In accordance with Civil Local Rule 5-1, the filer of this document hereby attests under penalty of perjury that the concurrence in the filing of this document has been obtained from all signatories hereto.

Dated: June 14, 2024

GIBSON DUNN & CRUTCHER LLP

By: /s/ Julian W. Kleinbrodt
Julian W. Kleinbrodt

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: _____

THE HONORABLE EDWARD M. CHEN
SENIOR UNITED STATES DISTRICT COURT JUDGE